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UNITED NATIONS REVIEW CONFERENCE ON
A CONVENTION ON A CODE OF CONDUCT
FOR LINER CONFERENCES
Geneva, 21 May 1991
Agenda item 7 (b)

REPORT OF THE CREDENTIALS COMMITTEE

1. At its ninth plenary meeting on 23 May 1991, the Conference, in accordance with rule 4 of its rules of procedure, appointed nine members of the Credentials Committee as follows: Algeria, China, Ireland, Niger, Republic of Korea, Trinidad and Tobago, United States of America, Union of Soviet Socialist Republics and Uruguay.

2. The Committee held a meeting on 4 June 1991 and unanimously elected Mrs. Clare O'Flaherty (Ireland) as Chairman.

3. The Secretariat informed the Committee that credentials issued in accordance with rule 3 of the rules of procedure had been received for the representatives of 102 States.

4. The Committee found these credentials to be in due and proper form and recommends that they be accepted by the Conference.

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CONTENTS (continued)

Rule		Page
	XI. PUBLIC AND PRIVATE MEETINGS	
58.	General principles	15
59.	Communiqués on private meetings	15
	XII. OTHER PARTICIPANTS AND OBSERVERS	
60.	Representatives of organizations that have received a standing invitation from the General Assembly to participate in the capacity of observers in the sessions and work of all international conferences convened under its auspices	15
61.	Representatives of national liberation movements	16
62.	Representatives of specialized and related agencies	16
63.	Representatives of other intergovernmental organizations	16
63 bis	Representatives of organizations of regional economic integration	16
64.	Representatives of interested United Nations organs	16
65.	Representatives of non-governmental organizations	16-17
66.	Written statements	17
	XIII. SUSPENSION OF THE RULES OF PROCEDURE	
67.	Method of suspension	17
68.	Other procedural matters	17

CONTENTS (continued)

Page

APPENDIX 18

Declaration incorporating the "Gentleman's Agreement" reached by the Informal Consultations on 1 November 1990 concerning the mandate of the Review Conference.

and

Statement to be placed on record by the Senior Legal Adviser in connection with the above Declaration.

Notes 19

I. REPRESENTATION AND CREDENTIALS

Rule 1

Composition of delegations

Each State participating in the Conference shall be represented by a head of delegation and by no more than two other accredited representatives and such alternate representatives and advisers as may be required.

Rule 2

Alternates and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 3

Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of UNCTAD if possible not less than one week before the date fixed for the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Secretary-General of UNCTAD. The credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs or by the Permanent Mission to the United Nations of the State at Geneva upon the explicit authorization of the Head of State or Government or the Minister for Foreign Affairs.

Rule 4

Credentials Committee

A Credentials Committee of nine members shall be appointed from among States participating in the Conference, with due regard to equitable geographical distribution. It shall examine the credentials of representatives and report to the Conference without delay.

Rule 5

Provisional participation in the Conference

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Rule 6

Election

1. The Conference shall elect, with due regard to equitable geographical distribution:

(a) From among the representatives of Contracting Parties to the Convention, the following officers: a President and a Rapporteur, a Chairman for each of the two Main Committees provided for in rule 47 as well as the Chairman of the Legal Drafting Committee provided for in rule 48, if and when such Committee is established;

(b) From among all the participating States, 14 Vice-Presidents.

2. The President and the Rapporteur of the Conference shall not be eligible for election as Chairman of a Main Committee. Nor shall the Chairman of a Main Committee be eligible for election as a Vice-President of the Conference.

Rule 7

Term of office and replacement

1. Should the Conference hold more than one session, and unless the Conference decides otherwise, all officers shall serve for all sessions of the Conference.

2. If an officer resigns or ceases to be able to perform his functions or to be a representative of a participating State, the Conference shall as soon as possible elect a new officer. If the office thus vacated is that of the President, the other officers who constitute the General Committee shall select one of the Vice-Presidents to serve as Acting President until the new President has been elected.

Rule 8

Absence of the President

1. If the President is to be absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 9

Voting rights of the President

The President or a Vice-President acting as President, shall not vote, but may appoint another member of his delegation to vote in his place.

2. The Legal Drafting Committee shall, without reopening discussion on any substantive matter, prepare drafts and give advice on drafting as requested by the Conference or either of its Main Committees. Subject to any general instructions of the Conference, it shall co-ordinate and review the drafting of all texts referred to it, without altering their substance, and shall report, as appropriate, either to the Conference or to the Main Committee concerned.

Rule 49

Working groups

The Conference, the Main Committees and the Legal Drafting Committee may establish working groups on which each State participating in the Conference may be represented. In the establishment of working groups, account shall be taken of the availability of conference-servicing facilities.

Rule 50

Officers

1. Each Main Committee shall, unless it decides otherwise, elect a Vice-Chairman-cum-Rapporteur.

2. Each other subsidiary organ shall elect such officers as it considers necessary, in addition to any that may have been elected for it by the Conference pursuant to subparagraph 1(a) of rule 6.

Rule 51

Procedures

The rules relating to officers (rules 6 to 9), the secretariat of the Conference (rules 13 to 15), the conduct of business of the Conference (rules 18 to 34), decision-making (rules 35 to 46) and other participants and observers (rules 60 to 65) shall be applicable, mutatis mutandis, to the proceedings of committees and working groups, except as these may otherwise provide and except that:

(a) The chairmen of subsidiary organs other than Main Committees may exercise the right to vote;

(b) The chairmen of any subsidiary organ of limited membership may declare a meeting open and permit the debate to proceed when representatives of a majority of its members are present;

(c) Decisions of committees and working groups shall be taken by a majority of the representatives present and voting, but the reconsideration of a proposal shall require the majority established by paragraph 1 of rule 34.

IX. LANGUAGES

Rule 52

Languages of the Conference

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

Rule 53

Interpretation

1. Speeches made in a language of the Conference shall be interpreted into the other such languages, unless such interpretation has not been requested by the representative of any State participating in the Conference.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language.

Rule 54

Language of official documents

Official documents shall be made available in the languages of the Conference.

X. RECORDS AND REPORTS

Rule 55

Records of meetings

1. There shall be neither verbatim nor summary records of meetings.

2. Statements made at the Conference shall not be reproduced in extenso either as separate documents or as an integral part of or attached to any report of a subsidiary organ or of the Conference unless, in exceptional cases, they are of a technical nature and served or are to serve as bases for discussion, and a decision to reproduce them has been taken by the Conference or the organ concerned.

Rule 56

Sound recordings

Sound recordings of plenary meetings of the Conference and of meetings of the Main Committees, the General Committee and the Drafting Committee shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the organ that established a working group, no such recordings shall be made of the meetings of the latter.

Rule 57

Report of the Conference

1. Unless the Conference decides otherwise, it shall issue a report on the debates in the plenary and in the two Main Committees of the Conference, subject to the provisions of rule 55, paragraph 2.

2. Unless the Conference decides otherwise, the draft of a report shall be prepared and submitted to the Conference by the Rapporteur, who may be assisted by "friends" designated by each regional group the members of which are participating in the Conference. Unless the Conference decides otherwise, the Rapporteur, in consultation with his "friends", may authorize corrections to and editorial changes in the report adopted by the Conference.

XI. PUBLIC AND PRIVATE MEETINGS

Rule 58

General principles

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the organ concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private unless the Conference or the organ concerned decides otherwise.

Rule 59

Communiqués on private meetings

At the close of a private meeting, the Conference or the Main Committee concerned may issue a communiqué to the press through the secretariat of the Conference.

XII. OTHER PARTICIPANTS AND OBSERVERS

Rule 60

Representatives of organizations that have received a standing invitation from the General Assembly to participate in the capacity of observers in the sessions and work of all international conferences convened under its auspices

Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committees and, as appropriate, any working group.

Rule 61

Representatives of national liberation movements

Representatives designated by national liberation movements invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committees and, as appropriate, any working group on any matter of particular concern to those movements.

Rule 62

Representatives of specialized and related agencies 2/

Representatives designated by the specialized and related agencies may participate, without the right to vote, in the deliberations of the Conference, its Main Committees and, as appropriate, any working group on questions within the scope of their activities.

Rule 63

Representatives of other intergovernmental organizations

Representatives designated by intergovernmental organizations in consultative status with UNCTAD may participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committees and, as appropriate, any working group on questions within the scope of their activities.

Rule 63 bis

Representatives of organizations of regional economic integration

Organizations of regional economic integration having competence in specific fields covered by the Code may designate representatives to participate, without the right to vote, in the work and deliberations of the Conference, the Main Committees, and as appropriate, the subsidiary organs on questions falling within the scope of their competence.

Rule 64

Representatives of interested United Nations organs

Representatives designated by interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committees and, as appropriate, any working group on questions within the scope of their activities.

Rule 65

Representatives of non-governmental organizations

1. Non-governmental organizations invited to the Conference may designate representatives to sit as observers at public meetings of the Conference and its Main Committees.